

REMARKS

Claim Status

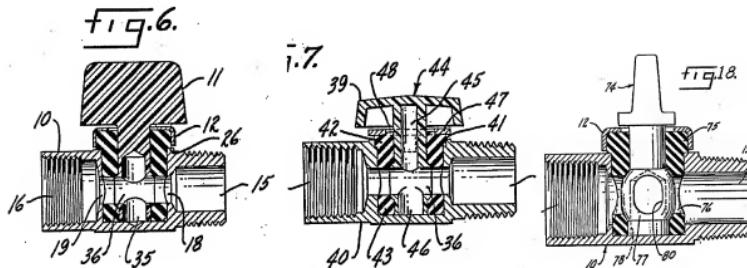
By this amendment, claims 38-42, 44, 46-48, 50, 52, 59-62, 66-68, 72-77, and 79-88 are canceled without prejudice or disclaimer, and new claims 94-103 are added. Claims 63-65, 78, and 94-103 are pending.

Claim Rejections 35 USC § 103

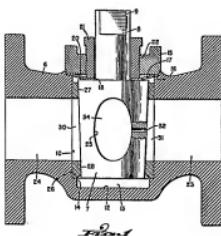
The Office Action rejected claims 63, 64, and 78 as being unpatentable over U.S. Patent No. 3,192,943 to Moen (herein "Moen") in view of U.S. Patent No. 3,066,909 to Reed, Jr. (herein "Reed, Jr."). Applicant respectfully points out that the reference to Scaramucci in the rejection of claims 63, 64, and 78 based on Moen and Reed, Jr. does not make sense (See Office Action Page 6). Applicant assumes that this rejection is based on Moen and Reed, Jr., as stated in the Office Action, and that the reference to Scaramucci was a typographical error.

Claim 63

Applicant respectfully submits that claim 63 is patentable over the combined teachings of Moen and Reed Jr., because claim 63 recites features that are not disclosed or suggested by the combined teachings of Moen and Reed, Jr. For example, claim 63 requires a lower cylindrical trunnion extending along an axis of rotation of the valve element past a lowermost end of the packing. The Office Action asserts that Moen discloses "said lower cylindrical trunnion extending axially along said rotational axis past a lowermost end of said packing" Office Action, p.6. Applicant respectfully points out that this statement is clearly incorrect. Figures 6, 7 and 18 are provided below to show that in each embodiment of Moen, both the lower trunnion and the lower end of the cartridge bottom on the valve body. The lower trunnion does not extend past the cartridge body.



In addition, claim 63 requires the valve element to be allowed to shift in two opposite directions along the axis of rotation of the valve element. Neither Reed, Jr. nor Moen allow the valve element to axially shift in two opposite directions. In Moen, the trunnion bottoms against the valve body. There is no indication in Reed, Jr. that the relief cavity 13 allows the plug 7 to axially shift in two opposite directions. To the contrary, the valve disclosed by Reed, Jr. is configured such that the plug 7 clearly cannot axially shift in two opposite directions. Specifically, the valve disclosed by Reed, Jr. includes "a disc 17, of impervious material, suitable to seal the plug against leakage from the valve body interior. Disc 17 may have a central aperture 18 through which the stem 8 projects, the margin of said aperture being held in fluid-tight contact upon the upper face 20 of the plug by means of a gland member 21 threadedly associated with the bonnet as at 22. Clearly, the gland member 21 prevents the plug from moving upward (See Fig. 1 of Reed, Jr., reproduced below).



Claim 63 is in condition for allowance.

Claim 64

Applicant respectfully submits that claim 64 is patentable over the combined teachings of Moen and Reed Jr., because claim 64 recites features that are not disclosed or suggested by the combined teachings of Moen and Reed, Jr. For example, claim 64 requires a lower cylindrical trunnion extending along an axis of rotation of the valve element past a lowermost end of the packing. In addition, claim 64 requires the valve element to be allowed to shift in two opposite directions along the axis of rotation of the valve element. Claim 64 is in condition for allowance.

Claim 78

Applicant respectfully submits that claim 78 is patentable over the combined teachings of Moen and Reed Jr., because claim 78 recites features that are not disclosed or suggested by the combined teachings of Moen and Reed, Jr. For example, claim 78 requires a lower trunnion extending axially past a lowermost end of said packing into a reduced diameter counterbore. Applicant respectfully points out that the Office Action has not addressed this claim limitation. There simply is no counterbore that a trunnion extends into in the Moen Valve. Further, Reed, Jr. does not disclose that the plug 7 extends into the pressure relief cavity 13. In addition, claim 63 requires an axial gap between the reduced diameter counterbore and the lower trunnion that allows the valve element to axially shift in two opposite directions. Neither Reed, Jr. nor Moen disclose allowing the valve element to axially shift in two opposite directions. Claim 78 is in condition for allowance.

Claim 65

The Office Action rejected claim 65 as being unpatentable over Moen in view of U.S. Patent No. 4,911,408 to Kemp (herein "Kemp"). Applicant respectfully points out that the reference to Scaramucci in the rejection of claims 63, 64, and 78 based on Moen and Kemp does not make sense (See Office Action Page 7). Applicant assumes that this rejection is based on

Moen and Kemp, as stated in the Office Action, and that the reference to Scaramucci was a typographical error.

Applicant respectfully submits that claim 65 is patentable over the combined teachings of Moen and Kemp, because claim 65 recites features that are not disclosed or suggested by the combined teachings of Moen and Kemp. For example, claim 65 recites “said lower trunnion extending axially past a lowermost end of said packing.” As is explained above, the lower trunnion of Moen does not extend past the lower end of the cartridge and the valve member 80 of Kemp does not include a trunnion. In addition, Moen and Kemp do not permit “the valve element to shift in two opposite directions along the axis of rotation of the valve element to compensate for temperature effects on said packing” as is required by claim 65. Claim 65 is in condition for allowance.

New Claims

Applicant respectfully submits that new claims 94-103 are patentable over the applied references, because new claims 94-103 recite features that are not disclosed or suggested by the combined teachings of the applied references.

Claim 94

New claim 94 recites features that are not disclosed or suggested by the combined teachings of the applied references. For example, new claim 94 requires a lower trunnion extending axially past a lowermost end of said packing and into said reduced diameter counterbore. In addition, new claim 94 recites an axial gap between the reduced diameter counterbore and the lower trunnion that allows said valve element to axially shift in the valve cavity in two opposite directions to compensate for temperature effects on said packing. New claim 94 is in condition for allowance.

New claim 95 depends from new claim 94 and is allowable for at least the reasons claim 94 is allowable.

Claim 96

New claim 96 recites features that are not disclosed or suggested by the combined teachings of the applied references. For example, new claim 96 requires a lower trunnion extending axially past a lower end of the packing. In addition, new claim 96 requires permitting said valve element to axially shift in two opposite directions to compensate for temperature effects on said packing. New claim 96 is in condition for allowance.

New claims 97-103 depend from new claim 96 and are allowable for at least the reasons claim 96 is allowable.

Should the Commissioner decide that any fee or fee deficiency is due, the Commissioner is hereby authorized to charge any and all such other fees incurred as a result of entering this amendment to deposit account number 03-0172, order number 22188/06985.

Respectfully submitted,



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